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**Public Utilities
Commission of Ohio**

PUCO

Memo

To: Docketing Division
From: Leah Thomas-Dalton, Chief, and Rail Division
Date: October 26, 2010
Re: CSX Transportation - Alleged excessive growth of weeds and vegetation - in the vicinity of Carey, Wyandot County @ MP CD 71 to CD 73

Case No. 10-2431 -RR-CSS

Please docket the attached letter filed by the Ohio State Legislative Board, United Transportation Union.

The letter is filed against CSX Transportation. It is recommended that copies be served on:

Mr. Luther G. Newsom, Chairman, Chairman & State Legislative Director, Ohio State Legislative Board,
2021 East Dublin-Granville Rd, Suite 245, Columbus, Ohio 43229-3522

CSC-Lawyers Incorporated Service, CSX Transportation Designated Agent, 50 W Broad St.,
Columbus, Ohio 43215

Mr. Thomas C. Wood, UTU Legal Counsel, 501 Morrison Rd., Suite 203, Gahanna, Ohio 43230

In the absence of a railroad answer within fifteen (15) days, the Rail Division will arrange to investigate this complaint and file a written report of its findings.

C: PUCO Inspector Rand Patterson

File

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SM Date Processed OCT 26 2010

LUTHER G. (GLENN) NEWSOM (1928)
Chairman & State Legislative Director

STUART W. GARDNER (225)
Assistant State Legislative Director

DAVID W. OTTEN (1962)
Secretary

OHIO STATE
LEGISLATIVE BOARD



United Transportation Union
LO-038

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RECEIVED
PUBLIC UTILITIES
COMMISSION OHIO
2010 OCT 20 PM 12:39
RAIL DIVISION

REP

10-2431-RR-CSS

October 19, 2010

The Public Utilities Commission of Ohio
180 East Broad Street, 5th Floor
Columbus, OH 43215-3793

ATTENTION: Ms. Leah Thomas-Dalton, Chief
Transportation Department
Railroad Division

Gentlemen:

The Ohio State Legislative Board, United Transportation Union, representing Ohio railroad employees wishes to file a weed and vegetation complaint (Ohio Administrative Codes 4901-5-05 and 4901-5-07) against CSX Transportation (CSXT), which railroad is subject to regulation under Chapters 4905 and 4907 of the Revised Code.

In conducting its railroad operation in the vicinity of Carey, Wyandot County, Ohio, said company has permitted unsafe and hazardous walking/tripping conditions to arise due to the excessive growth of weeds and vegetation on its property at the following location:

At Milepost CD 71 to CD 73 along tracks 1, 2, and the Center Siding, the vegetation in this area is approximately waist high and is affecting approximately 70 percent of the area indicated.

The area can be reached from Columbus, Ohio, by traveling north to US-23 and then turning north (right) on Elm Hill Road (Township Hwy. 98). In around a mile you will cross the location and tracks indicated above.

By its failure to establish or maintain an adequate vegetation control program early in the season, it is now endangering the railroad employees required to use this area in the performance of their required duties.

It is requested that an investigation be conducted, under Section 4907.08, to determine if this railroad at the above location is in violation of your Commission's "Weed Order." If

The Public Utilities Commission of Ohio
ATTENTION: Ms. Leah Thomas-Dalton
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excessive growth is found, then an appropriate and timely order should be issued to require the elimination of the growth and the establishment of a vegetation control program to prevent the recurrence of such unsafe conditions.

No additional information was received.

Respectfully submitted,



LUTHER G. (GLENN) NEWSOM, Chairman
& State Legislative Director
Ohio State Legislative Board
United Transportation Union
Suite 245
2021 East Dublin Granville Road
Columbus, OH 43229-3522

LGN/jvs

cc: Mr. Malcolm B. Futhey, Jr.,
International President, UTU

CSC-Lawyers Incorporating Service (Certified Mail)
CSX Transportation Designated Agent
50 West Broad Street, Suite 1800
Columbus, OH 43215

Mr. Thomas C. Wood
Designated UTU Legal Counsel
501 Morrison Road, Suite 203
Gahanna, OH 43230

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